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URGENT CARE

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ALLSTATE INSURANCE COMPANY,
ALLSTATE PROPERTY & CASUALTY
INSURANCE COMPANY, ALLSTATE
INDEMNITY COMPANY, and ALLSTATE
FIRE & CASUALTY INSURANCE
COMPANY,

Plaintiffs,

vs.

RUSSELL J. SHAH, M.D.; DIPTI R. SHAH,
M.D.; RUSSELL J. SHAH, MD, LTD.; DIPTI
R. SHAH, MD, LTD.; and RADAR MEDICAL
GROUP, LLP dba UNIVERSITY URGENT
CARE, Does 1-100, and ROES 101-200,

Defendants.

AND RELATED CLAIMS.

Case No. 2:15-cv-01786-APG-DJA

**STIPULATION AND ORDER TO
EXTEND DEADLINE TO FILE
DISPOSITIVE MOTIONS**

(Nineteenth Request)

Defendants and Counterclaimant Russell J. Shah, M.D., Dipti R. Shah M.D., Russell J. Shah, MD, Ltd., Dipti R. Shah, MD, Ltd., and Radar Medical Group, LLP d/b/a University Urgent Care (collectively, the “Radar Parties”) and Plaintiffs/Counterdefendants Allstate Insurance Company, Allstate Property & Casualty Insurance Company, Allstate Indemnity Company, and Allstate Fire & Casualty Insurance Company (collectively, the “Allstate Parties”), by and through their respective attorneys of record, stipulate and agree as follows:

1. On June 9, 2022, the Court entered an Order [ECF No. 435] approving a Stipulation [ECF No. 434] authorizing the Radar Parties to take the Fed. R. Civ. P. 30(b)(6) deposition of the Allstate Parties concerning the Counterclaims outside the close of discovery.

2. Following several telephonic meet and confers concerning the topics listed under the Fed. R. Civ. P. 30(b)(6) deposition notice (the “Notice”), the parties have agreed that certain prior testimony given by Carole LaDuke, in her individual capacity, on August 10, 2021, addresses the information sought by the Radar Parties through Topic No. 1 in the Notice. Accordingly, the parties will be submitting a stipulation and order identifying those portions of Ms. LaDuke’s testimony that will be binding upon the Allstate Parties as if Ms. LaDuke had appeared and testified in her capacity as a Fed. R. Civ. P. 30(b)(6) designee for the Allstate Parties in response to Topic No. 1.

3. Further, the Allstate Parties identified Aaron Patterson and Patricia Downs to appear as Fed. R. Civ. P. 30(b)(6) designees for the Allstate Parties to testify with respect to Topic Nos. 2-4 in the Notice. Mr. Patterson’s deposition will proceed (via Zoom) on October 3, 2022, and Ms. Downs’ deposition will proceed (in person) on October 4, 2022.

4. On August 15, 2022, the Court entered an Order [ECF No. 443] granting the Radar Parties’ Motion to Compel the Allstate Parties’ Responses to Disputed Discovery Requests [ECF No. 430] (the “August 15, 2022 Order”) In so doing, the Court ordered the Allstate Parties to respond to Request No. 3 in the Radar Parties’ Seventh Set of Requests for Production of Documents and Interrogatory Nos. 14 and 15 in Radar Medical’s Second Set of Interrogatories.

5. On August 29, 2022, the Allstate Parties filed their Partial Objection to the August 15, 2022 Order [ECF No. 444] (the “Partial Objection”). Specifically, the Allstate Parties objected to the portion of the August 15, 2022 Order compelling them to respond to Interrogatory No. 14.

6. The Partial Objection remains pending; the Radar Parties presently have until September 26, 2022, to file their Response to the Partial Objection.

7. Consistent with the August 15, 2022 Order, the Allstate Parties are in the process of gathering and producing information responsive to Request No. 3 and Interrogatory No. 15.

8. Pursuant to Stipulation of the parties [ECF No. 441] and Order entered by the Court [ECF No. 442], the parties presently have until October 10, 2022, to file dispositive motions.

9. Due to the number of issues and claimants involved in this case, the volume of discovery that was completed (*see, e.g.*, Order [ECF No. 427] at 2:13-8:6), the outstanding 30(b)(6) depositions of the Allstate Parties concerning the Counterclaims that are scheduled to proceed on October 3-4, 2022, the anticipated upcoming production of information responsive to Request No. 3 and Interrogatory No. 15, and the pending Partial Objection, the outcome of which may require the Allstate Parties to produce information responsive to Interrogatory No. 14, good cause exists to extend the deadline for the parties to file dispositive motions until November 18, 2022 (which corresponds with approximately 30 days after the parties will likely receive the transcripts from the October 3-4, 2022 depositions of the Allstate Parties).

10. The parties do not anticipate any further extensions to the deadline to file dispositive motions.

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11. This stipulation is made in good faith and not to delay the proceedings.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED this 19th day of September, 2022.

DATED this 19th day of September, 2022.

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

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IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: 9/20/2022